IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 159 OF 2007

Mrs. P.H. Mistry ..Petitioner
Vs.
Jayant Ramdas Kanani and ors. ..Respondents

Mr. V.N. Shingnapurkar for petitioner.
Mr. A.H.H. Ponda for respondent no.1.
Ms. S.V. Gajare, APP for State.

CORAM: B.H. MARLAPALLE, J.

Date : July 12, 2007.

P.C.:

1. Heard Mr.Shingnapurkar the learned counsel for the petitioner who was at the relevant time holding the post of Branch Manager of Union Bank of India and impleaded as accused no.1. In all three officers of the said Bank were impleaded as accused in C.C. No.2268/SW/2005 and process was issued against all the three. They filed separate criminal revision applications and the learned Additional Sessions Judge was pleased to allow the revision applications filed by other two officers, whereas the revision application filed by the present petitioner came to be

dismissed.

2. The revision court declined to quash the process issued against the petitioner on the basis of two documents, namely, (a) the letter dated 17/4/1995 and (b) letter dated 26/9/1996 forwarding a blank stamp paper of Rs.5000/-.

3. I am satisfied that a triable case has been made out against the present petitioner and the parties will have to go through the evidence before the trial court. The petitioner will be at liberty to adduce evidence in respect of both these letters irrespective of the observations made by the revisional court in para 8 of the impugned judgment.

4. Save and except the above clarifications, the petition fails and the same is hereby rejected.

(B.H. Marlapalle,J.)